

## **Section 10. MISCELLANEOUS REGULATIONS**

10.1 It shall be unlawful for any person to occupy, possess, cause to be stored upon (temporary or otherwise) or deposit any personal articles, materials, structures, barrier or waste products upon any public right-of-way without the expressed written permission of the Board of Selectmen.

10.2 It shall be unlawful for any person to install a fence, gate, wall or structure of any type within the right-of-way of a Class V or Class VI highway, without the expressed written permission of the Highway Agent. In addition, the Town reserves the right to revoke such permission at anytime for any reason.

10.3 It shall be unlawful for any person to erect or install a sign (including temporary signs, real estate signs, painting on rocks or the use of other natural or man-made features as a sign), for commercial advertisement purposes within the right-of-way of a Class V or Class VI highway, to include replacement or improvements to an existing sign which is in violation of the Zoning Ordinance. This Section shall not apply, however, to any political advertising or residential posters which are placed in a manner so as not to violate any other applicable State Laws. The placement of signs for non-profit purposes may be allowed upon written permission by the Selectmen.

10.4 It shall be unlawful for any person to broadcast or emit an amplified voice, sound, siren or recording while traveling upon any public right-of-way, except under the following circumstances: (a) appropriate use of a motor vehicle horn; (b) when necessary to do so by any public safety official; or (c) during a parade or special event when authorized by the Selectmen.

10.5 The Town of Alton shall only authorize the issuance of building permits for the erection or installation of structures whereby the primary means of access is by a Class VI highway and the proposed construction is not associated with a subdivision which has been approved by the Planning Board, provided the permit applicant agrees in writing to hold the Town harmless and immune from any liability or damages that may be attributable to the use of said Class VI highway or a lack of accessibility by emergency vehicles, and furthermore, with the understanding that the Town has no responsibility for the maintenance of the Class VI highway or any portions thereof. In addition, the permit applicant shall furnish evidence that notice of the limits of Town responsibility and liability has been perpetually attached to said property and recorded in the County Registry of Deeds, prior to the issuance of said building permit. (NOTE: refer to Alton Planning Board meeting of February 12, 1996 for compliance with the provisions of RSA 674:41.)

## Alton Highway Policies and Regulations

10.6 It shall be unlawful for any person to directly or indirectly cause water to enter upon the traveled way of a Town highway from private property.

10.7 The penalty for a breach of the provisions of Section 10 shall be a violation and fine of not more than one thousand dollars (\$1,000.00), per day, or portion thereof in which a violation continues, in accordance with State Law.

10.8 Any object found to be in violation of the provisions of this Section shall be subject to being immediately removed at the owner's expense.

10.9 Any person found to be in violation of the provisions of this Section shall be presumed to be responsible for any and all associated physical damages as may be determined by the Highway Agent and shall be liable for the cost of restoration of the right-of-way to a condition satisfactory to the Highway Agent. In addition, persons violating this Section may be held liable for any personal injuries or damages which may result from non-compliance in accordance with the provisions of RSA 231:109.

10.10 Any person aggrieved<sup>30</sup> by a decision of the Highway Agent to impose liability or make repairs as a result of enforcing the provisions of this Section may appeal such a decision to the Board of Selectmen.

10.11 Notwithstanding the authority of the Highway Agent to maintain a Class V highway in a safe condition, the provisions of this Section may be enforced by any duly authorized law enforcement official to the extent permitted by law.